

AT/2644

**PATENT** 

Attorney Docket No.: HELLO-00308

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Group Art Unit: 2747
Bruce W. Stelman	Examiner: Jeffrey, F. Harold
Serial No.: 09/286,249	TRANSMITTAL LETTER
Filed: April 5, 1999  For: SMART INTERFACE	) 162 North Wolfe Road ) Sunnyvale, California 94086 ) (408) 530-9700
TECHNOLOGY  Mail Stop Non-Fee Amendment	Customer Number 28960  RECEIVED
Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	MAY 1 4 2004
Sir:	Technology Center 2600
Enclosed please find a Response to the	Final Office Action dated March 10, 2004 for
filing with the U.S. Patent and Trademark Office	ce.
The Commissioner is authorized to charge any additional fee or credit any	
overpayment to our Deposit Account No. <u>08-1275</u> . An originally executed duplicate of this	
transmittal is enclosed for this purpose.	
	Respectfully submitted,
	HAVERSTOCK & OWENS LLP
Dated: May10, 2004	By: Morrisock Reg. No.: 32,571

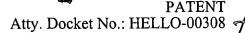
Attorneys for Applicant

CERTIFICATE OF MAILING (37 CFR§ 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

Date: S/10/0 By:





## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Bruce W. Stelman

Serial No.: 09/286,249

Filed: April 5, 1999

For: SM

SMART INTERFACE

TECHNOLOGY

Group Art Unit: 2644

Examiner: Jefferey F. Harold

RESPONSE TO FINAL OFFICE ACTION DATED March 10, 2004

162 North Wolfe Road Sunnyvale, CA 94086 (408) 530-9700

Customer Number: 28960

Mail Stop Non-Fee Amendment Commissioner for Patents P.O. Box 1450 Washington, D.C. 22313-1450

RECEIVED

MAY 1 4 2004

Technology Center 2600

Sir:

## REMARKS

The Applicant respectfully requests further examination and consideration in view of the arguments set forth fully below. Prior to the Final Office Action, Claims 41-58 and 63 were pending. Within the Final Office Action, Claims 41-58 and 63 were rejected and are currently pending.

## Rejections Under 35 U.S.C. 112

Within the Final Office Action, Claims 41-58 and 63 were rejected under 35 U.S.C. 112, first paragraph, "as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention."

It is further stated within the Final Office Action that "the examiner does not consider this claim to be directed to the same invention as that of U.S. Patent No. 5,729,603 because the support for the copied claims is not the same as that of U.S. Patent No. 5,729,603. Accordingly, an interference cannot be initiated based upon this claim." The Applicant respectfully disagrees.

The argument that "the support for the copied claims is not the same as that of U.S.